

**DECLARATION
AND POWER OF ATTORNEY
Utility Application**

LYON & LYON
DOCKET INFORMATION
207/263

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for

which a patent is sought on the invention entitled SELF-ADJUSTABLE SELF-ASSEMBLING MICRO-ELECTRIC SYSTEMS AND DEVICES FOR MOLECULAR BIOLOGICAL ANALYSIS AND DIAGNOSTICS

Check One

☐ is attached hereto.

☒ was filed on July 7, 1994

Application Serial No. 08/271,882

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 Code of Federal Regulations, § 1.56(1). I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application Number	Country	Date of Filing	Priority Yes <input checked="" type="checkbox"/>	Claimed No <input checked="" type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Date of Filing	Status-Patented, Pending or Abandoned
08/146,504	November 1, 1993	Pending

POWER OF ATTORNEY: As a named inventor, I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr., Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,340; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; William E. Thomson, Jr., Reg. No. 20,719; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,395; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; Bradford J. Duft, Reg. No. 32,219; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; and Kurt T. Mulville, Reg. No. 37,194; James P. Brogan, Reg. No. 35,833;

Corrine M. Freeman, Reg. No. 37,625; and Joseph H. Lee, Reg. No. 37,664

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201	FULL NAME OF INVENTOR	FIRST Name Michael	Middle Initial(s) J.	LAST Name HELLER	
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203	FULL NAME OF INVENTOR	FIRST Name Glen	Middle Initial(s) A.	LAST Name EVANS	
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204	FULL NAME OF INVENTOR	FIRST Name Ronald	Middle Initial(s) G.	LAST Name SOSNOWSKI	
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205	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
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206	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS	Post Office Address	City	State or Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	<i>Michael J. Heller</i>
	MICHAEL J. HELLER
Date	August 31, 1994

Signature of Inventor 204	<i>Ronald G. Sosnowski</i>
	RONALD G. SOSNOWSKI
Date	9/2/94

Signature of Inventor 202	<i>Eugene Tu</i>
	EUGENE TU
Date	9/2/94

Signature of Inventor 205	
Date	

Signature of Inventor 203	<i>Glen A. Evans</i>
	GLEN A. EVANS
Date	9/6/94

Signature of Inventor 206	
Date	

(Signatures should conform to names as presented at 2 1 or seq. above.)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE: 02/08/95

TO:

N12B

DAVID B. MURPHY, ESQ.
LYON & LYON
611 WEST SIXTH STREET
LOS ANGELES, CA 90017

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

3584 U.S. PTO
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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:
HELLER, MICHAEL J.

DOC DATE: 09/06/94

ASSIGNOR:
TU, EUGENE

DOC DATE: 09/06/94

ASSIGNOR:
EVANS, GLEN A.

DOC DATE: 09/06/94

ASSIGNOR:
SOSNOWSKI, RONALD G.

DOC DATE: 09/06/94

RECORDATION DATE: 09/09/94 NUMBER OF PAGES 004 REEL/FRAME 7274/0385

DIGEST : ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:
NANOGEN
11588 SORRENTO VALLEY ROAD, STE. 16
SAN DIEGO, CA 92121

SERIAL NUMBER 8-271882 FILING DATE 07/07/94
PATENT NUMBER ISSUE DATE 00/00/00

RECEIVED
MAR 13 1995
U.S. PROSECUTION

P. Foster
EXAMINER/PARALEGAL
ASSIGNMENT BRANCH
ASSIGNMENT/CERTIFICATION SERVICES DIVISION

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Michael J. Heller
Eugene Tu
Glen A. Evans
Ronald G. Sosnowski

Additional name(s) of conveying party(ies) attached? Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: September 6, 1994

2. Name and address of receiving party(ies):

Name: Nanogen

Internal Address: Suite 16

Street Address: 11588 Sorrento Valley Road

City: San Diego State: California ZIP 92121

Additional name(s) & address(es) attached? Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: September 6, 1994

A. Patent Application No(s).

B. Patent No(s).

Serial No. 08/271,882

Additional numbers attached? Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David B. Murphy, Esq.

Internal Address: LYON & LYON

Street Address: 611 West Sixth Street

City: Los Angeles State: California ZIP 90017

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed (included in the attached check)☐ Authorized to be charged to deposit account

8. Deposit Account Number:

12-2475

(Attach duplicate copy of this page if paying by deposit account.)

DO NOT USE THIS SPACE

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David B. Murphy, Reg. No. 31,125

Name of Person Signing & Reg. No.

Signature

9/9/94

Date

Total number of pages including cover sheet, attachments, and documents: 12

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

ASSIGNMENT

WHEREAS, We, **MICHAEL J. HELLER**, a citizen of the United States, residing at 1614 Hawk View Drive, Encinitas, California, 92024 and **EUGENE TU**, a citizen of the United States, residing at 3527 Lark Street, San Diego, California, 92103, **GLEN A. EVANS**, a citizen of the United States, residing at 6504 Myrtle Beach Drive, Plano, Texas 75093, and **RONALD G. SOSNOWSKI**, a citizen of the United States, residing at 1013 Adella Avenue, Coronado, California 92118 (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled "**SELF-ADDRESSABLE SELF-ASSEMBLING MICROELECTRONIC SYSTEMS AND DEVICES FOR MOLECULAR BIOLOGICAL ANALYSIS AND DIAGNOSTICS**", for which application for Letters Patent of the United States of America has been filed on July 7, 1994, under Serial No. 08/271,882; and

WHEREAS, **NANOGEN**, a corporation organized and existing under and by virtue of the laws of the State of California and having its principal place of business at 11588 Sorrento Valley Road, Suite 16, San Diego, California, 92121, (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto

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the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto, to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent and any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon request of ASSIGNEE, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or legal proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its designated legal representative any and all papers, instruments, declarations or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

RECORDED
PATENT & TRADEMARK OFFICE
WITNESS my hand at _____, California, this _____ day of


SEP -9 94

_____, 1994.


MICHAEL J. HELLER

WITNESS my hand at _____, California, this _____ day of

_____, 1994.


EUGENE TU

WITNESS my hand at _____, California, this _____ day of

_____, 1994.


GLEN A. EVANS

WITNESS my hand at _____, California, this _____ day of

_____, 1994.


RONALD G. SOSNOWSKI

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